

Campground Regulations Workgroup

Meeting Minutes

April 28, 2014, 1:00 p.m.

The campground section of the Public Health Code, 1978 PA 368, Part 125 (Act) has not been updated since 2004 and the rules have not been updated since 2000. Both the Act and rules reflect simple transient camping, but many sectors of the industry have progressed to provide more amenities, especially in terms of more fully equipped recreational vehicles (RVs) and increased seasonal camping. Public health and safety issues related to industry progress are not fully addressed in the Act and rules. This Workgroup has been convened to recommend changes to both the Act and the rules that will better reflect current industry practices.

Abbreviations

Abbreviations used throughout the minutes and other correspondence. Other less used abbreviations will be set in the context of the location where it is used, many of which are in the Attendance following.

- Act means the campground sections of Part 125 of the Public Health Code, 1978 PA 1968 as amended
- ARVC-MI means the Association of RV Parks and Campgrounds of Michigan
- CG means campground
- DEQ means the Michigan Department of Environmental Quality
- DNR means the Michigan Department of Natural Resources
- LARA means the Michigan Department of Licensing and Regulatory Affairs
- LHD means local health department
- MARVAC means Michigan Association of Recreation Vehicles and Campgrounds
- MDARD means the Michigan Department of Agriculture and Rural Development
- Rules means the Michigan Campground Rules
- RV means recreational vehicle
- Workgroup means the Campground Regulations Workgroup

Attendance

The fourth meeting of the Campground Regulations Workgroup (Workgroup) convened at 1:12 p.m. Members and guests attending this meeting were:

- Ken Bowen, Health Officer, Ionia County Health Department, representing Michigan Association for Local Public Health (MALPH) by teleconference
- Keith Cheli, Department of Natural Resources, Parks and Recreation Division (MDNR) by teleconference
- David Cordray, White River Campground, representing ARVC-MI
- Tom Frazier, Legislative Liaison representing Michigan Townships Association
- Bob Garcia, Family Motor Coach Association
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- David Graves, P.E., DEQ, Environmental Engineer, Campground Program
- Mary Kushion, Mary Kushion Consulting
- Paul Maitre, Blue Gill Camping, representing ARVC-MI
- Carrie Monosmith, Chief, Environmental Health Section
- Eric Pessel, Environmental Health Director, Kent County Health Department, representing Michigan Association of Local Environmental Health Administrators (MALEHA)
- Bill Sheffer, Director, MARVAC
- Paul D. Sisson, P.E., DEQ, Environmental Engineer Specialist, Campground Program

- Dan Stencil, Executive Officer, Oakland County Parks & Recreation, representing Michigan Recreation and Park Association
- Larry Stephens, P.E., Stephens Consulting Services, PC, representing Michigan Onsite Wastewater Recycling Association (MOWRA)

Guests

- None

Members Absent

- Michael L. Berrevoets, FTC&H, representing American Council of Engineering Companies of Michigan (ACEC)
- Debra Duffy, Family Campers & RVs
- Richard A. Falardeau, P.E., DEQ, Chief, Environmental Health Programs Unit
- Jim Horan, Sunnybrook RV Resort, representing MARVAC
- Rob Pirsein, P.E., Midwest Civil Engineers, PC
- Liane Shekter Smith, P.E. Chief, DEQ, Office of Drinking Water and Municipal Assistance
- Steve Yencich, President, Michigan Lodging & Tourism Association (MLTA)

Invited Stakeholders Not Present

- Cinda Karlik, Michigan Department of Agriculture and Rural Development (MDARD)
- Larry Lehman, Michigan Department of Licensing and Regulatory Affairs (LARA)
- David Lorenz, Public & Industry Relations Manager, Michigan Economic Development Corporation (MEDC)
- Michigan Association of Fairs & Exhibitions (MAFE)
- Rick Miller, State Fire Marshall, LARA Bureau of Fire Services

Introductions and Minutes

Amy Epkey was introduced. She represents our DEQ Administration Office. DEQ staff presented a brief summary of the previous meeting. The minutes of the March 3, 2014 meeting were approved without changes.

LARA Input

After confirming attendance at this meeting, Mr. Lehman was unable to attend after all. Since Mr. Lehman is retiring soon, and the workgroup needs specific input concerning structures and other building code issues, members wondered who to contact at LARA. MARVAC again indicated that they had some contact with LARA staff and mentioned a few possible contacts that may be available to provide information to the workgroup.

Revised Total Coliform Rules (rTCR)

DEQ staff made a brief presentation of the Revised Total Coliform Rules to the workgroup. A US Environmental Protection Agency publication Revised Total coliform Rule: A Quick Reference Guide was distributed to the workgroup. These minutes will not attempt to summarize the presentation or the Reference Guide, except that non-community water supplies such as at campgrounds will require increased coliform sampling, representative water distribution system sampling, siting plans, start-up plans, assessments, etc. The first two meeting dates for the rTCR stakeholder group (May 29 and June 27) are difficult CG owners to attend. DEQ staff highly recommended that at least CG owners should be encouraged to make recommendations for changes to the Safe Drinking Water Act, Act 399 and the water supply rules concerning CG water supplies. DNR staff will make efforts to attend the rTCR meetings and make recommendations for changes to the water supply rules.

Definitions in the Act and Rules

The workgroup began a systematic discussion of the Act, Section 12501 Definitions. Subsection (1)(a) defines “campground”. The workgroup discussed adding “permanent or temporary” before “sites” to indicate that a campground site may be either permanent or temporary. The workgroup needs to discuss a definition for a temporary CG.

A campground “site” is defined in the rules but not defined in the Act. This should be moved to the Act. “Temporary living quarters” is also defined in the rules (very vaguely), but not in the Act. This also should be moved to the Act. A definition for this is proposed, but this has not come up for discussion yet.

The workgroup discussed the definition of a “seasonally sited recreational unit” in Rule 1, and distinguished these from transient sites. Seasonal sites tend to have more wants such as structures, but need a sufficiently flexible definition to allow changing back and forth to transient.

The workgroup discussed the 5 or more recreational units as the minimum size for a licensed campground. For mobile home parks, the definition is 2 or more units. Other states list 2, 3, or 4 sites as the line. The original reason to set the minimum at 5 sites was to eliminate family outings. If any change was made to this number, the workgroup thought it could go lower rather than higher. The workgroup did not recommend any changes to this number.

The workgroup discussed seasonal mobile home parks versus campgrounds. The main difference is that mobile homes are designed and approved for permanent residency and recreational vehicles are not. Even though existing MHs are currently allowed in CGs, is it not easy to prevent them from being used as a permanent residence. The workgroup favors having only RVs in campgrounds and parks that are predominantly MHs should be changed to seasonal mobile home parks. Seasonal mobile home parks should not be allowed to have RVs intermixed with MHs. We need to discuss and clarify with LARA if and how a campground can be established within a mobile home park.

The definition of “mobile home” in the Act is recommended to be adjusted to reference the mobile home commission act and the HUD code definitions rather than having a definition that paraphrases these two documents. The workgroup had no objections to making this change.

The workgroup discussed adding “movable cabin” to the definition of “recreational unit”. The workgroup, although agreeing that there is a benefit to having cabins on licensed sites, they had problems with the word “cabin”. We discussed using “movable structure” or “movable shelter” as an alternate to “cabin”. This part of the definition would need to prohibit cabins greater than 400 sq ft in area. If “structure” is used, this would need to be defined very clearly to differentiate a cabin structure from other typical structures that may be erected on a site such as decks, sheds, screen rooms, etc. The definition would need to be careful to distinguish a CG with cabins as different from a resort where there would only be cabins. Resorts would not be allowed to have RV sites. The workgroup did not have any other suggestions how to differentiate a CG from a resort with cabins only.

In conjunction with the discussion of cabins, the workgroup briefly discussed holding tanks for cabins. We discussed whether or not holding tanks should be allowed.

DNR parks have teepees and yurts on rental sites. They also have some cabins, but these may or may not be on sites which they license. The workgroup discussed leaving cabins out of the Act but expanding the definition in the rules and possibly allowing all types of cabins on licensed sites. Cabins greater than 400 square feet in area should be prohibited.

Campground Program Budget and Fees

The workgroup discussed CG program fees to think of scenarios for a “fair” licensing fee to generate sufficient revenue to operate the CG Program. Some propose a fixed cost per site, but this may not reflect DEQ costs for issuing a license. There may be some additional costs for issuing a license for a larger campground, but this probably does not warrant a fee based on a fixed fee per site.

Assignments

- There were no specific assignments except to consider fee scenarios and the definitions in the Act.

Next Meeting

The next meeting was set for Monday, June 2, 2014, at 1:00 p.m. in Lansing, McCauley Conference room, 4 South, Constitution Hall. The following meetings are set for July 7 and Aug 11. The teleconference phone number, and agenda will be sent to workgroup members later.

The workgroup meeting was adjourned at 4:14 p.m.

Attachment

Respectfully submitted,
Paul D. Sisson
May 28, 2014